

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

ASSOCIATION OF CONTRACTING
PLUMBERS OF THE CITY OF NEW YORK,
INC.; PLUMBING-HEATING COOLING
CONTRACTORS–NATIONAL
ASSOCIATION; PLUMBERS LOCAL
UNION NO. 1, UNITED ASSOCIATION OF
JOURNEYMEN AND APPRENTICES OF
THE PLUMBING AND PIPEFITTING
INDUSTRY OF THE UNITED STATES AND
CANADA; NEW YORK STATE ENERGY
COALITION, INC.; THE PLUMBING
FOUNDATION CITY OF NEW YORK,
INC.; LICENSED PLUMBING
ASSOCIATION NEW YORK CITY, INC.,
d/b/a/ MASTER PLUMBERS COUNCIL OF
THE CITY OF NEW YORK; and BUILDING
INDUSTRY ASSOCIATION OF NEW YORK
CITY, INC.,

Plaintiffs,

v.

CITY OF NEW YORK,

Defendant.

CIVIL ACTION NO. 1:23-cv-11292-RA

**DECLARATION OF BILL NOWAK
IN SUPPORT OF
MOTION TO INTERVENE**

1. I, Bill Nowak, set forth that I am over the age of 18 years and am competent to attest to the facts contained in this Declaration.

2. I am currently on the Board of Directors of New York Geothermal Organization (“NY-GEO”) and from the summer of 2014 through the summer of 2022, I served as NY-GEO’s Executive Director.

3. Founded in 2014, NY-GEO is a not-for-profit trade association which represents the geothermal heat pump industry in New York State. The seventy founding members,

including geothermal system designers, installers, drillers, general contractors, engineers, manufacturers, distributors, renewable energy consultants and industry stakeholders, install and advocate for the use of ground-source heat pumps to heat and cool buildings throughout New York State. Our organization has grown to 224 members as recent years have seen New York recognize the electrification of buildings as a key strategy to reduce greenhouse gas emissions, and as policies such as Local Law 154 have been adopted.

4. NY-GEO is dedicated to promoting geothermal heating and cooling. NY-GEO, in conjunction with the International Ground Source Heat Pump Association (“IGSHPA”), offers job training and workforce development opportunities and connects prospective employers with qualified job candidates.

5. Marketing, design, and installation of ground source heat pumps requires services and products that include plastic pipe, tools and equipment, installation, engineering, drilling, and excavation. The installation of ground source heat pumps is a labor-intensive activity which cannot be outsourced, and which creates wealth in local New York communities through wages and salaries paid, as well as the multiplier effect of local purchases made and taxes paid. NY-GEO estimates there are approximately 2,000 New Yorkers currently employed in ground source heat pump marketing, sales, engineering, system design, drilling, and installation.

6. For close to a decade, NY-GEO has also organized an annual ground source heat pump conference in Albany, NY, and this year is holding conferences in both Albany and Brooklyn, NY. At the conferences, contractors, installers, designers, and policy makers convene to discuss new technology, workforce development, and advances in state and federal policy which support ground source heat pumps. These conferences have served the interests of installers, electricians, plumbers, and pipefitters, to name a few, by providing workforce training

and certificates, connecting policy makers with the designers and developing the regulatory framework that will ramp up the sale and installation of ground source heat pumps. This commitment to education, outreach, and advancing policy in the renewable energy market, has resulted in approximately 32 individuals being trained as IGSHPA Accredited Installers, giving their businesses the required accreditation to participate in the New York Joint Utilities' Clean Heat program ("Clean Heat"). There are now 174 geothermal contractors in the Clean Heat program. In addition, there are 1,088 air source heat pump and hot water heat pump installers listed with the Clean Heat program, indicating electrification, as encouraged by LL154, is a growing economic force in New York State.

7. On November 17, 2021, NY-GEO testified before James Gennaro, the Chair of the New York City's Environmental Protection Committee in support of Local Law 154 (Intro 2317) and subsequently filed written testimony to the New York City Council in favor of the law. A true and correct copy of my testimony is attached to this declaration as Exhibit A.

8. The passage of Local Law 154, in conjunction with other State and local policies that encourage emission reductions in the heating and cooling sector has led to considerable growth in the geothermal industry. We have seen the tripling of our membership as noted above. WaterFurnace, a United States geothermal heat pump manufacturer which has the strongest presence of any supplier to NY state, has seen their sales from New York installations increase 20% from 2021 to 2023.

Executed on February 28, 2024

A handwritten signature in black ink that reads "Bill Nowak". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

Bill Nowak
Board of Directors
NY-GEO